

DECISION



THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548

FILE:

B-220080

DATE: October 29, 1985

MATTER OF:

Events Analysis, Inc.

DIGEST:

Protest that offeror's proposal was improperly determined to be outside the zone of further consideration and firm was denied an opportunity to submit a best and final offer is rendered academic by cancellation of solicitation. GAO will not retain jurisdiction of a protest, despite the protester's request to do so, when the solicitation has been canceled.

Events Analysis, Inc. (Events), protests the determination that its proposal was outside the zone of further consideration and the denial of an opportunity to submit a best and final offer under request for proposals (RFP) No. MDA903-85-R-0071 issued by the Defense Supply Service (DSS) for evaluation of the Army's safety program. The protester essentially contends that it was "unfairly" denied the opportunity to submit a best and final offer. We dismiss the protest.

After the protest was filed, the contracting officer notified all offerors by an amendment that effective October 1, 1985, the RFP was canceled because funds for the procurement expired on September 30, 1985, the end of the fiscal year.

Events advises our Office that it does not wish to withdraw its protest, alleging that DSS canceled the solicitation as a means of evading our review of the agency's "flawed" procurement practices. The protester urges us to "investigate" the circumstances surrounding this procurement so as to prevent their recurrence.

Generally, cancellation of a solicitation renders a protest such as this academic. If a protester is unwilling to withdraw, we will dismiss the matter. See The Wheelabrator Corporation, B-219419, July 29, 1985, 85-2 C.P.D. ¶ 107. Our bid protest authority is applicable only to the award or proposed award of a contract and

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where, as here, as the result of the cancellation of a solicitation no award will be made, we will not retain jurisdiction of a protest. See 31 U.S.C. § 3551 (West Supp. 1985).

The protest is dismissed.



Robert M. Strong
Deputy Associate General Counsel